

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code section 105.4 (2007 Iowa Acts, chapter 198, section 4), the Department of Public Health hereby adopts new Chapter 28, “Plumbing and Mechanical Systems Licensure Fees,” Iowa Administrative Code.

These rules describe the fees applicable to the various licenses issued by the Plumbing and Mechanical Systems Examining Board.

Notice of Intended Action was published in the Iowa Administrative Bulletin on November 5, 2008, as **ARC 7328B**. Public hearings were scheduled in six locations across the state; one was canceled due to weather issues. Comments received addressed the amount of the fees. As a result of the comments, a new rule was added which states that the Board shall review the fee schedule every two years. Iowa Code section 105.9 directs the Department to collect licensing fees in an amount that will cover the cost of the licensing program.

These rules were adopted by the Plumbing and Mechanical Systems Examining Board on December 16, 2008.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Department finds that the normal effective date of these rules should be waived and these rules should be made effective on January 1, 2009, as the guidance in these rules benefits those persons who must comply with the licensure of plumbers and mechanical systems professionals that became effective January 1, 2009.

These rules became effective on January 1, 2009.

These rules are intended to implement Iowa Code chapter 105.

The following amendment is adopted.

Adopt the following **new** 641—Chapter 28:

CHAPTER 28

PLUMBING AND MECHANICAL SYSTEMS LICENSURE FEES

641—28.1(105) Fees. All fees are nonrefundable.

28.1(1) License fee for:

- a. An apprentice license as defined in 641—subrule 29.2(1) is \$50.
- b. A journey license as defined in 641—subrule 29.2(2) is \$100.
- c. A master license as defined in 641—subrule 29.2(3) is \$250.
- d. A combined license is the sum total of each of the separate license fees.
- e. A medical gas pipe certificate as defined in 641—29.3(105) is \$50.
- f. An inactive license as defined in 641—subrule 29.2(4) is \$50.

28.1(2) Reciprocal license fee for:

- a. An apprentice license as defined in 641—subrule 29.2(1) is \$50.
- b. A journey license as defined in 641—subrule 29.2(2) is \$100.
- c. A master license as defined in 641—subrule 29.2(3) is \$250.
- d. A combined license is the sum total of each of the separate license fees.
- e. A medical gas pipe certificate as defined in 641—29.3(105) is \$50.

28.1(3) Renewal license fee for:

- a. An apprentice license as defined in 641—subrule 29.2(1) is \$50.
- b. A journey license as defined in 641—subrule 29.2(2) is \$100.
- c. A master license as defined in 641—subrule 29.2(3) is \$250.
- d. A combined license is the sum total of each of the separate license fees.
- e. A medical gas pipe certificate as defined in 641—29.3(105) is \$50.
- f. An inactive license as defined in 641—subrule 29.2(4) is \$50.

28.1(4) The examination application fee is \$35.

28.1(5) A late fee for failure to renew before expiration is determined as follows:

a. A licensee who allows a license to lapse for one month or less may reinstate and renew the license without examination upon payment of a \$60 late fee and appropriate renewal of license fee.

b. A licensee who allows a license to lapse for more than one month but less than two months may reinstate and renew the license without examination upon payment of a late fee equivalent to the appropriate license fee and appropriate renewal of license fee.

c. A licensee who allows a license to lapse for more than two months is required to retake and pass the applicable licensing examination and pay the appropriate renewal of license fee in order to obtain reinstatement. A licensee whose license has lapsed continues to hold the privilege of licensure in Iowa, but may not work as a plumbing or mechanical professional in Iowa until the license is renewed. A licensee who works as a plumbing or mechanical professional in the state of Iowa with a lapsed license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code section 147.83, criminal sanctions pursuant to Iowa Code section 147.86, and other available legal remedies.

28.1(6) The duplicate or reissued license certificate or wallet card fee is \$20.

28.1(7) The fee for written verification of licensee status is \$20.

28.1(8) The returned check fee is \$25.

28.1(9) The disciplinary hearing fee is a maximum of \$75.

28.1(10) The paper application fee is \$25 plus the appropriate license fee.

641—28.2(105) Biennial review of fee schedule. Commencing July 2010 and every biennium thereafter, the plumbing and mechanical systems examining board shall review its revenue, including amounts generated from licensure fees set forth in this chapter, and its expenses for purposes of revisiting and reevaluating the fee structures.

These rules are intended to implement Iowa Code chapters 105 and 272C.

[Filed Emergency After Notice 12/23/08, effective 1/1/09]

[Published 1/14/09]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 1/14/09.